

Remarks

Entry of the above amendments, reconsideration of the application, and allowance of all pending claims are respectfully requested. Claims 1-66 are pending in this application.

35 U.S.C. §102(b) - Gershman et al.

Claims 1-66 were rejected under 35 U.S.C. §102(e) as being allegedly anticipated by Gershman et al. (U.S. Patent No. 6,199,099). Applicants respectfully, but most strenuously, traverse this anticipation rejection for the following reasons.

The present application was filed June 27, 2000 and claims priority back to a Provisional Application No. 60/157,795, filed October 5, 1999. The Gershman et al. patent has an issue date of March 6, 2001 and an effective filing date of March 5, 1999. Accordingly, the Gershman et al. patent issued subsequent to the present application's filing date and the claimed priority date.

Pursuant to 37 C.F.R. 1.131, applicants are submitting herewith an affidavit to establish a date of completion of the claimed invention prior to the effective filing date of the Gershman et al. patent. On the basis of the facts within the accompanying affidavit and associated attached 7-page disclosure document, applicants respectfully submit that the subject matter of claims 1-66 was conceived prior to March 5, 1999 and diligently pursued through the filing of a U.S. provisional patent application on October 5, 1999 and the filing of a U.S. non-provisional patent application on June 27, 2000.

With respect to the date of conception, it is respectfully submitted that a date of invention of at least as early as February 19, 1999 is demonstrated by the attached affidavit and disclosure document which is dated February 19, 1999 and signed by the inventors on March 4, 1999.


In view of the accompanying affidavit antedating the effective date of the Gershman et al. reference, this reference is not available as prior art against the present application. Applicants respectfully request withdrawal of the sole prior art rejection and allowance of all of the pending claims of this application.

Conclusion

All the grounds of objection and rejection have been accommodated, traversed or rendered moot. Accordingly, the application is now believed to be in condition for allowance and such action is respectfully requested.

However, if the Examiner believes there are any remaining issues, applicants' undersigned representative respectfully requests a telephone hearing to discuss the same.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David A. Pascarella", written over a horizontal line.

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